Remarks

Applicants have carefully reviewed the application in light of the December 6, 2005 Office Action. For at least the reasons given below, Applicants submit that the currently pending claims are allowable in their present form. Thus, Applicants respectfully request favorable action for this application.

Allowable Subject Matter

The Examiner continues to indicate that claim 40 is allowable and that claim 17 is only objected to for depending on a rejected base claim. Office Action, pg. 1. Applicants thank the Examiner for these findings. Because Applicants continue to believe that the claim from which claim 17 depends (i.e., claim 16) is allowable in its present form, however, Applicants are abstaining at this time from making the Examiner's proposed change of rewriting claim 17 in independent form.

Section 102 Rejections

The Examiner continues to reject claims 1-2, 4, 8-9, 13-16, 18, 21-22, 24-27, 30-31, 33-34, and 37-38 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,011,967 issued to Wieck ("Wieck"). Office Action, pg. 2. Applicants disagree.

To anticipate a claim under § 102, a reference must teach each and every limitation of the claim. M.P.E.P. § 2131. Furthermore, the elements in the reference must be arranged as the limitations in the claim. Id. Wieck, however, fails to teach all of the limitations in the respective claims. Thus, Wieck fails to support the Examiner's assertion.

Claim 1 is an independent claim containing limitations that Wieck fails to teach. Claim 1 recites:

> A method performed at a wireless device, the method comprising:
> detecting a signal representing an environmental state in the vicinity of the wireless device;
> comparing the environmental state represented by the signal against a set of remotely programmable rules at the wireless device; and

if the environmental state satisfies at least one of the rules, generating, based on the satisfied rule, a communication for transmission to a wireless network.

Nowhere, however, does Wieck teach "comparing the environmental state represented by the signal against a set of remotely programmable rules at the wireless device." Quite to the contrary, Wieck simply teaches that a cellular telephone responds to a sensor signal representing the occurrence of a predetermined event (e.g., breaking of a window) by establishing a radio channel and sending identification data. col. 1, ll. 46-57. That is, the sensor signal is not generated until the predetermined event has occurred. col. 4, ll. 7-29; col. 5, ll. 27-36. Thus, there is no need in Wieck for "comparing the environmental state represented by the signal against a set of ... rules at the wireless device," as the existence of Wieck's sensor signal indicates that a predetermined event has occurred. In fact, Wieck indicates that the predetermined event is irrelevant to the cellular telephone because the predetermined event is encoded in the signal from the sensor and passed on to an alarm service provider 40 that determines how to control the cellular telephone 10 in response to which predetermined event occurred. col. 7, ll. 23-35. Additionally, Wieck does not teach "a set of remotely programmable rules at the wireless device." Indeed, Wieck teaches that its program is stored in a ROM 22. col. 2, ll. 58-62. Applicants note the Examiner's assertions to the contrary, Office Action pg. 2, but the teaching proffered by the Examiner only discloses that a sensor signal indicating the occurrence of a predetermined event (e.g., opening of a door) triggers an alarm send function in a cellular telephone, col. 4, ll. 7-47. This provides no indication of "comparing the environmental state represented by the signal against a set of .... rules at the wireless device," much less "comparing the environmental state represented by the signal against a set of remotely programmable rules at the wireless device." Moreover, the Examiner's assertion that Wieck possesses instructions for a phone to operate in a certain manner, Office Action, pg. 2, is insufficient because, again, it does not teach the claimed limitations. For at least these reasons, Applicants submit that Wieck fails to teach all of the limitations of claim 1 and, hence, respectfully request the Examiner to withdraw the § 102 rejection of this claim.

Claims 2, 4, 8-9, and 13-15 depend from claim 1 and, hence, contain all of its limitations, which have already been shown to distinguish over Wieck. These claims also contain additional limitations that Wieck fails to teach.

Claim 4, for example, recites "identifying the environmental state represented by the signal." Nowhere, however, does Wieck teach such an operation. Wieck simply teaches that a cellular telephone responds to a sensor signal representing the occurrence of an environmental event by establishing a radio channel. col. 1, ll. 46-56. Indeed, as mentioned above, Wieck even intimates that the cellular telephone is not concerned with what the predetermined event is. Applicants note the Examiner's assertion to the contrary, Office Action, pg. 2, and agree with the Examiner that claim 4 does not require the monitoring of multiple events. However, this does not eliminate the claimed limitations. To teach the limitations of claim 4, Wieck must teach "identifying the environmental state represented by the signal" at the cellular telephone 10, regardless of how many events are monitored. Wieck, however, provides no suggestion of such an operation.

As another example, claim 9 specifies that "at least one of the rules specifies a level that an environmental state must exceed for the rule to be satisfied." Wieck, however, fails to teach anything regarding a rule specifying "a level that an environmental state must exceed for the rule to be satisfied." As noted above, Wieck teaches that the sensor signal is not generated until the predetermined event has occurred. col. 4, ll. 7-29; col. 5, ll. 27-36. Thus, there is no reason for Wieck to evaluate a predetermined event, because the sensor signal already indicates that the event exists. Moreover, Wieck provides no indication of a rule that "specifies a level that an environmental state **must exceed** for the rule to be satisfied." For example, Wieck does not teach a degree of openness that a door must have or a degree of brokenness that window must have. To the contrary, Wieck simply teaches that the existence of a sensor signal indicates that a satisfactory condition exists. Applicants note the Examiner's assertion that a level is whether or not an event has occurred, Office Action, pg. 2, but the Examiner appears to ignore the fact that a rule must specify "a level that an environmental state must exceed for the rule to be satisfied" to satisfy the recited limitation.

As a further example, claim 14 specifies that "at least one of the rules specifies multiple communications for an environmental state." Wieck, however, fails to teach a rule that specifies

multiple communications. Applicants note the Examiner's assertion that Wieck does teach such a limitation, Office Action, pg. 2, but the portions of Wieck upon which the Examiner relies only teach that a cellular telephone sends audio or video data upon the occurrence of an event, a cellular telephone receives a communication from a remote site, and a cellular telephone tries to establish communication with a second cellular telephone if a first cellular telephone is unavailable. col. 1, l. 45 – col. 2, l. 25. Thus, the Examiner's proffered support in Wieck is lacking.

For at least these reasons, and for the reasons given with respect to claim 1, Applicants submit that claims 2, 4, 8-9, and 13-15 possess limitations not taught by Wieck. Applicants therefore respectfully request the Examiner to withdraw the § 102 rejection of these claims.

Claim 16 is another independent claims possessing limitations not taught by Wieck. Claim 16 recites:

> A wireless device comprising:
> a sensor operable to detect an environmental state in the vicinity of the wireless device and to generate a signal representing the environmental state;
> a processor coupled to the sensor, the processor operable to:
> detect the signal representing the environmental state,
> compare the environmental state represented by the signal against a set of remotely programmable rules, and
> if the environmental condition satisfies at least one of the rules, generate, based on the satisfied rule, a communication for transmission to a wireless network; and
> a transceiver coupled to the processor, the transceiver operable to wirelessly send the communication.

For reasons analogous to those discussed with respect to claim 1, however, nowhere does Wieck teach "a processor ... operable to ... detect the signal representing the environmental state, compare the environmental state represented by the signal against a set of remotely programmable rules, and if the environmental condition satisfies at least one of the rules, generate, based on the satisfied rule, a communication for transmission to a wireless network." For at least these reasons, Applicants submit that claim 16 possesses limitations not taught by Wieck and, hence, request the Examiner to withdraw the §102 rejection thereof.

Claims 18, 21-22, and 24-25 depend from claim 16 and, hence, possess all of its limitations, which have already been shown to be allowable over Wieck. These claims also contain additional limitations that Wieck fails to teach.

For example, claim 18 specifies that "the processor is further operable to identify the environmental state represented by the signal." For reasons analogous to those discussed with respect to claim 4, however, nowhere does Wieck teach such a limitation.

As another example, claim 21 specifies that "at least one of the rules specifies a level that an environmental state must exceed for the rule to be satisfied." For reasons analogous to those discussed with respect to claim 9, however, Wieck fails to teach these limitations.

For at least these reasons, and for the reasons given with respect to claim 16, Applicants submit that claims 18, 21-22, and 24-25 possess limitations not taught by Wieck. Applicants therefore respectfully request the Examiner to withdraw the § 102 rejection of these claims.

Claim 26 is another independent claim possessing limitations not taught by Wieck. Claim 26 recites:

> An article comprising a machine-readable medium storing instructions operable to cause one or more machines to perform operations comprising:
> determining whether a signal representing an environmental state in the vicinity of a wireless device has been detected at the wireless device;
> comparing the environmental state represented by the signal against a set of remotely programmable rules at the wireless device; and
> if the environmental state satisfies at least one of the rules, generating, based on the satisfied rule, a communication for transmission to a wireless network.

For reasons analogous to those discussed with respect to claim 1, however, nowhere does Wieck teach "determining whether a signal representing an environmental state in the vicinity of a wireless device has been detected at the wireless device," "comparing the environmental state represented by the signal against a set of remotely programmable rules at the wireless device," or "if the environmental state satisfies at least one of the rules, generating, based on the satisfied rule, a communication for transmission to a wireless network." For at least these reasons, Applicants submit that claim 26 possesses limitations not taught by Wieck and therefore respectfully request withdrawal of the §102 rejection.

Claims 27, 30-31, and 33 depend from claim 26 and, hence, possess all of its limitations, which have already been shown to distinguish over Wieck. Claims 27, 30-31, and 33 also contain additional limitations that Wieck fails to teach.

Claim 27, for example, specifies that "the instructions are further operable to cause one or more machines to perform operations comprising identifying the environmental state represented by the signal." But for reasons analogous to those discussed with respect to claim 4, Wieck fails to teach such an operation.

As another example, claim 31 specifies that "at least one of the rules specifies a level that an environmental state must exceed for the rule to be satisfied." Nowhere, however, does Wieck teach such an operation, as illustrated by the discussion with respect to claim 9.

For at least these reasons, and for the reasons given with respect to claim 26, Applicants submit that claims 27, 30-31, and 33 possess limitations not taught by Wieck. Applicants therefore respectfully request the Examiner to withdraw the § 102 rejection of these claims.

Claim 34 is another independent claim possessing limitations not taught by Wieck. Claim 34 recites:

> A framework for wireless sensor alerts, the framework comprising:
> a rule set comprising programmable rules that specify conditions under which communications are to be sent based on an environmental state in the vicinity of a wireless device and the communications to be sent;
> a rule editor operable to modify the rules in the rule set based on received rule parameters;
> a rule engine operable to:
> receive a proposition for a rule, the proposition representing an environmental state in the vicinity of a wireless device,
> compare the proposition against the rules, and
> if the proposition satisfies a condition of at least one of the rules, determine, based on the satisfied rule, a communication for transmission to a wireless network.

Applicants note that the Examiner appears to have overlooked claim 34 in this Office Action. Office Action, pg. 3. Applicants respectfully request the Examiner to fully consider this claim.

For reasons analogous to those discussed with respect to claim 1, Wieck fails to teach "a rule set comprising programmable rules that specify conditions under which communications are

to be sent based on an environmental state in the vicinity of a wireless device and the communications to be sent." Additionally, nowhere does Wieck teach "a rule editor operable to modify the rules in the rule set based on received rule parameters." Furthermore, Wieck fails to teach "a rule engine operable to: receive a proposition for a rule, the proposition representing an environmental state in the vicinity of a wireless device, compare the proposition against the rules, and if the proposition satisfies a condition of at least one of the rules, determine, based on the satisfied rule, a communication for transmission to a wireless network." While Wieck teaches a program for the cellular telephone 10, col. 2, ll. 50-62, this fails to teach the claimed limitations. Moreover, Wieck only actually discloses that communication functions (e.g., establishing a radio channel and transmitting predetermined identification data) are carried out in response to a sensor signal representing a predetermined event, col. 1, ll. 45-57, and that a cellular telephone can be programmed to store mundane cellular telephone information (e.g., telephone numbers), col. 3, ll. 34-51. Thus, Wieck utterly fails to teach the limitations of claim 34, and Applicants respectfully request withdrawal of the §102 rejection thereof.

Claims 37-38 depend from claim 34 and, hence, possess all of its limitations, which have already been shown to distinguish over Wieck. Claims 37-38 also contain additional limitations that Wieck fails to teach. Claim 38, for example, specifies that "at least one of the rules specifies a level that an environmental state must exceed for the rule to be satisfied." For analogous reasons to those discussed with respect to claim 9, however, Wieck fails to contain such a teaching. For at least these reasons, and for the reasons given with respect to claim 34, Applicants submit that claims 37-38 possess limitations not taught by Wieck. Applicants therefore respectfully request the Examiner to withdraw the § 102 rejection of these claims.

Section 103 Rejections

The Examiner appears to continue to reject claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Wieck in view of U.S. Patent Publication No. 2002/0067253 to Trajkovic ("Trajkovic"), claims 5-7, 19, 23, 28-29, and 35-36 under § 103(a) as being unpatentable over Wieck in view of U.S. Patent No. 6,215,405 issued to Handley ("Handley"), claims 10, 12, 20, 32, and 39 under § 103(a) as being unpatentable over Wieck in view of U.S. Patent Publication No. 2002/0103758 to Powell ("Powell"), and claim 11 under § 103(a) as being unpatentable over

Wieck in view of U.S. Patent Publication No. 2002/0080029 to Menard et al. ("Menard"). Office Action, pgs. 2-3. Applicants disagree.

To render a claim prima facie unpatentable under § 103 based on a combination of references, an Examiner must establish that the references or the knowledge generally available to one skilled in the art teach or suggest combining the references, that there is a reasonable expectation of success in making the combination, and that the combined references teach or suggest all of the claim's limitations. M.P.E.P. § 2143. Furthermore, the combination cannot alter the principle of operation of a reference. Id. The cited documents, however, fail to teach or suggest all of the claims limitations.

Claims 3, 5-7, and 10-12 depend from claim 1 and, hence, contain all of its limitations, which have already been shown to distinguish over Wieck. These claims also contain additional limitations that the other cited documents fail to teach or suggest.

For example, claim 6 specifies that "at least one of the rules comprises multiple conditions that must be satisfied." As the Examiner explicitly recognized in the first Office Action, Wieck fails to teach or suggest such a rule. Thus, the Examiner turns to Handley in an attempt to find such a teaching or suggestion. Office Action, pg. 2. But the Examiner's proffered teaching from Handley also fails to teach or suggest at least one such rule. Handley discloses that a smoke detector may include a temperature sensor that may function as a heat detector. col. 6, ll. 1-17. If the heat detector detects a predetermined rate of rise, it may provide an earlier warning of a potential fire condition. Id. Thus, while Handley teaches that a smoke detector may include a heat detector, the two appear to operate independently of each other. That is, the smoke detector may generate an alarm if it detects smoke or if it detects heat. Thus, there is no teaching or suggestion of claim 6's rule with "**multiple conditions** that must be satisfied." (emphasis added).

As another example, claim 10 recites "detecting a request to modify the programmable rules; determining whether parameters for a rule have been received; and if the parameters have been received, modifying the rules." The Examiner explicitly finds that Wieck does not contain such a teaching or suggestion in the first Office Action and, hence, turns to Powell, Office Action, pg. 3. But Powell is primarily concerned with how to update content on a Website. ¶ 15. While the content may end up as part of a program, ¶ 13, Powell contains no teaching or

suggestion of, for example, rules, requests to modify programmable rules, and modifying programmable rules.

As a further example, claim 11 specifies that "the request [to modify programmable rules] is from a second wireless device." Again as the Examiner explicitly recognized in the first Office Action, Wieck is deficient. The Examiner therefore attempts to use Menard. Office Action, pg. 3. But the Examiner's proffered teaching from Menard only reveals that an "off premises" personal control panel 10 can arm, disarm, or cancel an alarm of a portable detection unit 20. ¶ 30. Thus, Menard teaches or suggests nothing regarding a request for modifying programmable rules, much less one from a second wireless device. Applicants note the Examiner's assertion regarding Menard teaching that a system can receive/send data from two different devices. Office Action, pg. 3. But this teaches nothing regarding requesting modification of programmable rules from a second wireless device.

For at least these reasons, and for the reasons given with respect to claim 1, Applicants submit that the cited documents fail to teach or suggest all of the limitations of claims 3, 5-7, and 10-12. Thus, Applicants respectfully request the Examiner to withdraw the § 103 rejections thereof.

Claims 19, 20, and 23 depend from claim 16 and, hence, contain all of its limitations, which have already been shown to be allowable in view of Wieck. These claims also contain additional limitations that the other cited documents fail to teach or suggest. For example, for reasons analogous to those expressed with respect to claim 10, the cited documents fail to teach all of the limitations of claim 20. As another example, the cited documents do not teach all of the limitations of claim 23 for reasons analogous to those discussed with respect to claim 6. For at least these reasons, and for the reasons given with respect to claim 16, Applicants submit that the cited documents fail to teach or suggest all of the limitations of claims 19, 20, and 23. Thus, Applicants respectfully request the Examiner to withdraw the § 103 rejections thereof.

Claims 28-29 and 32 depend from claim 26 and, hence, contain all of its limitations, which have already been shown to be allowable in view of Wieck. These claims also contain additional limitations that the other cited documents fail to teach or suggest. For example, for reasons analogous to those expressed with respect to claim 10, the cited documents fail to teach all of the limitations of claim 32. As another example, the cited documents do not teach all of

the limitations of claim 29 for reasons analogous to those discussed with respect to claim 6. For at least these reasons, and for the reasons given with respect to claim 26, Applicants submit that the cited documents fail to teach or suggest all of the limitations of claims 28-29 and 32. Thus, Applicants respectfully request the Examiner to withdraw the § 103 rejections thereof.

Claims 35-36 and 39 depend from claim 34 and, hence, contain all of its limitations, which have already been shown to be allowable in view of Wieck. These claims also contain additional limitations that the other cited documents fail to teach or suggest. For example, for reasons analogous to those expressed with respect to claim 10, the cited documents fail to teach all of the limitations of claim 39. As another example, the cited documents do not teach all of the limitations of claim 36 for reasons analogous to those discussed with respect to claim 6. For at least these reasons, and for the reasons given with respect to claim 34, Applicants submit that the cited documents fail to teach or suggest all of the limitations of claims 35-36 and 39. Thus, Applicants respectfully request the Examiner to withdraw the § 103 rejections thereof.

Conclusion

Applicants submit that a good faith effort has been made to advance the prosecution of this application and that the application is in condition for allowance. If, however, the Examiner thinks that a telephone conference may advance prosecution, Applicants request that the Examiner contact the below-listed attorney.

Applicants do not believe that this response requires any adjustment in fees. If, however, Applicants are mistaken, please apply any charges or credits to deposit account number 05-0765.

Respectfully submitted,

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